

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NOVO NORDISK A/S,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-645-SLR
	)	
SANOFI-AVENTIS, AVENTIS	)	
PHARMACEUTICALS INC., and AVENTIS	)	
PHARMA DEUTSCHLAND GMBH,	)	
	)	
Defendants.	)	

**STIPULATED ORDER CONTINUING PRETRIAL CONFERENCE AND TRIAL**

WHEREAS Plaintiff Novo Nordisk A/S has moved the Court for voluntary dismissal of this action without prejudice (D.I. 152), which it believes is proper, as Plaintiff has granted Defendants a covenant not to sue that Plaintiff believes is sufficient to preclude any prejudice to Defendants in that Plaintiff believes it removes any possibility of later litigation;

WHEREAS Defendants Aventis Pharmaceuticals, Inc., sanofi-aventis, and sanofi-aventis Deutschland GmbH (formerly known as Aventis Pharma Deutschland GmbH) do not oppose the dismissal of this action, but believe that Plaintiff's covenant not to sue is too narrow and the dismissal of Plaintiff's infringement claims should be with prejudice;

WHEREAS the parties have been unable to agree on a mutually acceptable form of Order of Dismissal and need the Court's assistance in resolving this disputed issue; and

WHEREAS the parties agree, subject to the approval and order of the Court, that the pretrial conference currently scheduled for July 31, 2007, and the trial scheduled currently to begin on August 13, 2007, should be continued to preserve judicial resources, to allow the parties to avoid any further expenditure of time and money, which would be required in preparing for

trial if this Stipulated Order were not entered, and to afford the Court the opportunity to resolve the disputed issue without time pressure;

NOW THEREFORE, IT IS HEREBY ORDERED that the pretrial conference and trial in this matter are hereby continued, pending entry of an Order of Dismissal by the Court.

RICHARDS LAYTON & FINGER

ASHBY & GEDDES

*/s/ Anne Shea Gaza*

*/s/ Lauren E. Maguire*

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Frederick L. Cottrell, III (I.D. #2555)  
Anne Shea Gaza (I.D. #4093)  
One Rodney Square  
P.O. Box 551  
Wilmington, DE 19899  
302-651-7700  
[cottrell@rlf.com](mailto:cottrell@rlf.com)  
[gaza@rlf.com](mailto:gaza@rlf.com)

*Attorneys for Plaintiff*

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Steven J. Balick (I.D.#2114)  
John G. Day (I.D. #2403)  
Lauren E. Maguire (I.D. #4261)  
500 Delaware Avenue, 8<sup>th</sup> Floor  
P.O. Box 1150  
Wilmington, DE 19899  
302-654-1888  
[sbalick@ashby-geddes.com](mailto:sbalick@ashby-geddes.com)  
[jday@ashby-geddes.com](mailto:jday@ashby-geddes.com)  
[tlydon@ashby-geddes.com](mailto:tlydon@ashby-geddes.com)

*Attorneys for Defendants*

SO ORDERED this \_\_\_\_ day of July, 2007.

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United States District Judge